

ARTICLE APPEARED
ON PAGE A-13NEW YORK TIMES
12 July 1985

SPY SUSPECT LOSES BID FOR TRANSFER

Move to Halfway House Seen by Judge as a 'Temptation' for a Navy Man to Flee

By PHILIP SHENON
Special to The New York Times

BALTIMORE, July 11 — A Federal district judge said today that there was "strong evidence" of the guilt of Yeoman 2d Class Michael Walker, one of four men charged in the Navy spy case, and denied his request for transfer from jail to a halfway house.

The judge, Alexander Harvey 2d., said that in light of the evidence "there would be a very strong temptation for the defendant to flee." He added, "There is very strong evidence in support of the Government's case."

Lawyers for Yeoman Walker said the parents of his wife, Rachel, were willing to pledge nearly \$100,000 in property as security to assure his appearance at trial on charges on selling Navy secrets to the Soviet Union.

The 22-year-old sailor has been charged with espionage. Also charged in what officials have described as the nation's most serious spy case in 30 years are Yeoman Walker's father, John A. Walker Jr., a retired Navy warrent officer; his uncle, Arthur Walker, a retired Navy lieutenant commander, and a Californian, Jerry Whitworth, also a retired Navy man and an associate of his father's. All four have pleaded not guilty.

Appeals Court Hearing Planned

In a related matter, Judge H. Emory Widener Jr. of the United States Court of Appeals for the Fourth Circuit is scheduled to hear arguments Friday morning on a request to allow news organizations attend a hearing that another judge described as a "preview" of Arthur Walker's trial.

The hearing, to be held later Friday, was called to review a defense motion to suppress statements that Mr. Walker made to agents of the Federal Bureau of Investigation before his arrest. Federal District Judge J. Calvitt Clarke Jr. has ordered the hearing closed, saying it would be a preview of the trial and news accounts might prejudice potential jurors.

Michael Walker is being held at a jail in an undisclosed location. At today's hearing at Federal District Court in Baltimore, his lawyers asked that he be moved to a halfway house near his home in Norfolk, Va.

In denying the motion, Judge Harvey said halfway houses often had "loose" security, and added, "This court finds that no condition or combination of conditions will reasonably assure the appearance of this defendant for trial."

Attorneys for Arthur Walker are expected to argue in Federal District Court in Norfolk that statements he made to the F.B.I. should not be permitted as evidence in his trial, which is scheduled to begin next month.

Judge Clarke said Tuesday that he would close the hearing, and news organizations protested the decision.

Lawyers representing The Associated Press, Norfolk newspapers and other news organizations appealed the ruling to the Fourth Circuit in Richmond, and Judge Widener scheduled arguments on their request to delay the hearing until the entire appellate court could consider a motion to open the hearing to the public.